

COMMITTEE ON LEGISLATIVE RESEARCH  
 OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4201-02  
Bill No.: HB 1758  
Subject: Agriculture and Animals; Corrections Department; Law Enforcement Officer and Agencies.  
Type: Original  
Date: February 25, 2002

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
General Revenue	\$0	\$0	\$0
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
<b>Local Government</b>	<b>\$0</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 5 pages.

**FISCAL ANALYSIS**

### ASSUMPTION

In response to similar legislation from last year (HB 455), the **Department of Public Safety - Directors Office (DPS)** stated this proposal is attempting to make sure that there is a single standard that all canines and their handlers meet before working within the state.

DPS assumed this proposal would require two FTE, a Program Representative (at \$28,184) who would be responsible for the overall administration of the program, and a Clerk Typist III (at \$22,164) to provide clerical support for the program. DPS assumed that total costs for these FTE, including location expense, would be roughly \$161,000 in the first year and \$105,000 per year thereafter.

DPS assumes that if the fees generated by this program are budgeted to their agency, there would be no net effect on total state revenue.

Officials from the **Department of Public Safety - Division of Fire Safety (DFS)** state they currently have 6 K-9 teams (4 accelerant detection and 2 explosive detection), which have been certified by the Maine State Police. It is assumed the training and certification currently being utilized by the Division of Fire Safety will be accepted by the director. DFS does provide annual recertification for the teams. The total fiscal impact is unknown at this time due to the amount of the application fee being unknown.

Officials from the **Department of Revenue, Department of Conservation** and the **Department of Public Safety - Missouri Highway Patrol** each state this proposal would not fiscally impact their respective agencies.

Officials from the **Department of Natural Resources (DNR)** state that at this time, there are no current or future plans for their State Park Rangers to use canine teams for law enforcement activities. Therefore, there is no fiscal impact to the department.

However, if, in the future, a decision was made to use canines and canine handlers in DNR's law enforcement activities there could be a cost for training.

Officials from the **Springfield Police Department** state this proposal would not fiscally impact their agency as they already certify their dogs through USPCA and have their own certified trainers.

In response to similar legislation from last year, officials from the **Columbia Police Department** state they are already doing everything required for certification and that mandating it would not impact their agency.

### ASSUMPTION (continued)

In response to similar legislation from last year, officials from the **Jefferson City Police Department** state that because the bill does not mandate a department to have a canine, there would be no fiscal impact to their department.

Officials from the **Office of Secretary of State (SOS)** assume there would be costs due to additional publishing duties related to the Department of Public Safety's authority to promulgate rules, regulations, and forms. SOS estimates the division could require approximately 10 new pages of regulations in the Code of State Regulations at a cost of \$27.00 per page, and 15 new pages in the Missouri Register at a cost of \$23.00 per page. Costs due to this proposal are estimated to be \$615, however, the actual fiscal impact would be dependent upon the actual rule-making authority and may be more or less. Financial impact in subsequent fiscal years would depend entirely on the number, length, and frequency of the rules filed, amended, rescinded, or withdrawn. SOS does not anticipate the need for additional staff as a result of this proposal; however, the enactment of more than one similar proposal may, in the aggregate, necessitate additional staff.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

**Oversight** assumes there may be some local law enforcement agencies that currently are not meeting the training and certification requirements, and therefore, would be required to spend additional resources after July 1, 2003 on training and certification for their canine units. Oversight has reflected this possible costs to local law enforcement agencies as a range of \$0 to (Unknown). Oversight has reflected the income and expenses in FY 2004 and FY 2005 since the proposal applies to all canines acquired after July 1, 2003. Oversight also assumes DPS would not require additional office space for these two FTEs.

Oversight also assumes the Department of Public Safety would be allowed to retain the fees charged to local political subdivisions for canine training and certification to cover expenses of the new program. Oversight assumes the amount of fees collected by DPS would at least cover the cost of the program. If these assumptions are incorrect, DPS would need additional General Revenue funds to operate this program.

FISCAL IMPACT - State Government

FY 2003  
(10 Mo.)

FY 2004

FY 2005

**GENERAL REVENUE FUND**

RS:LR:OD (12/00)

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
<u>Income</u> - Certification Fees	\$0	At least \$97,455	At least \$84,407
<u>Costs</u> - Department of Public Safety			
Personal Service (2 FTE)	\$0	(\$52,897)	(\$54,219)
Fringe Benefit	\$0	(\$22,418)	(\$22,978)
Expense and Equipment	<u>\$0</u>	<u>(\$22,140)</u>	<u>(\$7,210)</u>
<u>Total Costs</u> - Department of Public Safety	\$0	(\$97,455)	(\$84,407)
<b>ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND</b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>	<b><u>\$0</u></b>

<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
<b>LOCAL LAW ENFORCEMENT AGENCIES</b>			
<u>Costs</u> - mandated training and certification requirements	<u>\$0</u>	\$0 to <u>(Unknown)</u>	\$0 to <u>(Unknown)</u>
<b>ESTIMATED NET EFFECT TO LOCAL LAW ENFORCEMENT AGENCIES</b>	<b><u>\$0</u></b>	<b><u>\$0 TO (UNKNOWN)</u></b>	<b><u>\$0 TO (UNKNOWN)</u></b>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal creates the Arner Law, which requires that canines acquired by law enforcement agencies after July 1, 2003, be trained and certified, along with the handler, before they can be used in law enforcement activities. The proposal specifies certain training and certification requirements and allows the Director of the Department of Public Safety to establish other requirements.

RS:LR:OD (12/00)

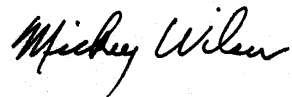
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety  
    Director's Office  
    Division of Fire Safety  
    Missouri Highway Patrol  
Department of Revenue  
Secretary of State's Office  
Department of Natural Resources  
Department of Conservation  
Springfield Police Department  
Columbia Police Department  
Jefferson City Police Department

**NOT RESPONDING:**

**Kansas City Police Department, Boone County Sheriff  
St. Louis Metropolitan Police, Cape Girardeau County  
Sheriff**



Mickey Wilson, CPA  
Acting Director  
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